

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

In Re.

No. C 12-6394 SI (pr)

MICHAEL HICKS,

**ORDER OF DISMISSAL**

Plaintiff/Petitioner.

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This action was opened on December 18, 2012, when the court received a "request and order to file new litigation by vexatious litigant," signed by Michael Hicks. Docket # 1. On that date, the court notified Hicks in writing that his action was deficient in that he had not attached a complaint and had not filed an *in forma pauperis* application. The court further notified him that this action would be dismissed if he did not submit a complaint within thirty days. Hicks did not file a complaint; instead, he sent a letter stating that he did not recall sending such a filing to the court. Upon closer inspection, it appears that the original document was mailed to the wrong address and was not mailed by Hicks: the document was mailed to the "Administrative Office of the Courts - Judicial Council," at 450 Golden Gate Avenue (i.e., this court's address), rather than 455 Golden Gate Avenue (i.e., the address of the state courts' Administrative Office). The document was mailed by the Del Norte County Superior Court, rather than Hicks, and has a proof of service showing that a copy was mailed to Hicks. Since the document was already mailed to Hicks, this court will not send him another copy.

1 For the foregoing reasons, this action is dismissed because it was opened in error. No  
2 filing fee is due. The clerk shall close the file.

3 IT IS SO ORDERED.

4 Dated: April 24, 2013

  
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SUSAN ILLSTON  
United States District Judge